

SECRETARY OF STATE[721]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 17A.3 and 631.4, the Secretary of State hereby gives Notice of Intended Action to amend Chapter 2, “Rules of Practice,” Iowa Administrative Code.

Iowa Code section 631.4 directs the Secretary of State to accept notice of an action involving small claims and nonresidents. The practice for the past several years has been to assess a fee of \$10 to offset the costs associated with accepting and delivering notice. This is the same fee charged for other similar filings. The proposed amendment reflects what has been the policy for years.

Any interested person may make written comments on the proposed amendment on or before May 21, 2013. Written comments should be directed to Charlie Smithson, Legal Counsel, Office of the Secretary of State, First Floor, Lucas State Office Building, Des Moines, Iowa 50319. Comments may be sent by fax to (515)242-5953 or by e-mail to Charlie.Smithson@sos.iowa.gov.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 631.4.

The following amendment is proposed.

Amend rule 721—2.3(17A) as follows:

721—2.3(17A 631) Payment for services. The secretary of state may approve accounts to be used for the payment of services provided by the secretary of state. A user of a service provided by the secretary of state may make payment for the service by authorizing a charge to be made upon an account held by the user.

2.3(1) to 2.3(6) No change.

2.3(7) The secretary of state shall assess a fee of \$10 for the receipt of a document filed under Iowa Code section 631.4(1)“d.”